

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 20 is currently being amended.

After amending the claims as set forth above, claims 1-4, 6-25 are now pending in this application.

Restrictions/Elections

Claim 21 has been amended to make it clear that the belt of Claim 21 is related to the composite of Claim 1 as a combination and subcombination and do properly belong in the same application. If the examiner feels otherwise, it is respectfully requested that the examiner explain why the two claims do not have a combination-subcombination relationship and do not properly belong in the same application.

If the examiner continues to maintain the withdrawn status of Claim 21, it is respectfully requested that Claim 21 be reinstated when Claim 1 is found to be allowable.

Claim rejections – 35 U.S.C. § 112

Claim 20 was rejected under 35 U.S.C. § 112, second paragraph for depending from Claim 5 which had been cancelled. Claim 20 has been amended to no longer depend from Claim 5. This amendment is believed to overcome this rejection of Claim 20.

Claims Rejections – 35 U.S.C. § 103

On page 3 of the Office Action, Claims 1-4, 6, 7, 20, and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewis (US 6,352,150) in view of McDonald (US 4,635,788). On page 4 of the Office Action, Claims 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable for the same reasons as Claim 1 and further in view of De Zuba et al. (US 3,941,741).

A. Claims 1-4, 6, 7, and 20

Claim 1 recites “a fiber-reinforced flexible composite membrane [comprising] two compositionally distinct opposing faces... and an elastomer disposed over the perfluoropolymer material on one side of the reinforcement.” Neither Lewis nor McDonald appear to teach or suggest (individually or in combination) a flexible composite having two compositionally distinct opposing faces where an elastomer is disposed over perfluoropolymer material, and applicants disagree with the reasoning cited in the Office Action.

Lewis does not appear to teach or suggest a flexible composite having two compositionally distinct opposing faces where an elastomer is disposed over perfluoropolymer material. Rather, Lewis appears to teach coating both faces of a belt with a layer or coating of PTFE or other suitable non-stick material. Col. 3, lines 60-62. This is not a fiber-reinforced flexible composite membrane comprising two compositionally distinct opposing faces where an elastomer is disposed over perfluoropolymer material.

Further, McDonald also does not appear to teach or suggest a flexible composite having two compositionally distinct opposing faces where an elastomer is disposed over perfluoropolymer material. McDonald teaches a “belt has a Teflon (polytetrafluoroethylene) coated fiber glass mesh belt 92 on which the chip rests” or “[t]he fiberglass mesh belt is, less preferably but alternatively, coated with a cured silicon rubber coating.” Col. 6, lines 59-61 and Col. 7, lines 3-4 (underline added). This is also not a fiber-reinforced flexible composite membrane comprising two compositionally distinct opposing faces where an elastomer is disposed over perfluoropolymer material.

Further still, nothing in the combination of Lewis and McDonald suggests a flexible composite having two compositionally distinct opposing faces, a feature which neither of the patents teaches or suggests individually.

Applicants disagree with the Office Action’s conclusion that the combination would teach all of the elements of the claims. The Office Action states Lewis “fails to disclose that there is a silicone rubber layer disposed over the PTFE coating” but “it would have been obvious to one having ordinary skill in the conveyor belt art to have used McDonald’s silicon

rubber coating disposed over Lewis' PTFE coated fiberglass belt.” Applicants disagree with this reasoning since both references acknowledge that silicon(e) rubber can be used, but neither reference teaches the arrangement of a silicon rubber layer disposed over a PTFE layer as suggested by the office action. Rather, silicon(e) rubber is disclosed in each reference as an alternative to PTFE. In particular, McDonald teaches that when using silicon rubber, it replaces (it is an alternative to) PTFE, and McDonald does not teach placing the silicon rubber over a PTFE layer. Col. 7, lines 3-4. Also, Lewis teaches that silicone rubber can be used in place of PTFE, and does not teach placing the silicone rubber over a PTFE layer. See e.g. Col. 3, line 67 and Col. 4, line 4. Thus, these references appear to suggest that when silicone rubber is the desired non-stick substance, PTFE is excluded. These references do not teach, as reasoned by the Office Action, that when silicone rubber is the desired non-stick substance that the silicone rubber should be placed over a PTFE layer. Further still, these references do not teach or suggest a flexible composite having two compositionally distinct opposing faces where an elastomer is disposed over perfluoropolymer material in combination with the other elements of Claim 1.

Since neither reference teaches or suggests a flexible composite having two compositionally distinct opposing faces and nothing in the combination of the references suggests an arrangement other than that explicitly taught in the two references, withdrawal of the rejection of Claim 1 is respectfully requested.

Claims 2-4, 6, 7, and 20 depend from Claim 1 and withdrawal of the rejection of these claims is requested for at least the same reasons as Claim 1.

B. Claims 8 and 9

Claims 8 and 9 were rejected over Lewis and McDonald as applied to Claim 1 and further in view of DeZuba. Claims 8 and 9 depend from Claim 1 and so claim “a fiber-reinforced flexible composite membrane [comprising] two compositionally distinct opposing faces” as recited in Claim 1. Accordingly, the discussion in the previous section with respect to McDonald and Lewis is equally applicable here. Further, DeZuba also fails to teach, individually or in combination with Lewis and McDonald, this element of Claim 1.

DeZuba, like Lewis and McDonald discussed above, fails to teach or suggest a flexible composite having two compositionally distinct opposing faces. Rather, DeZuba is directed to formation of a type of heat curable silicone rubber compound and does not disclose a flexible composite having two compositionally distinct opposing faces.

Further, nothing in DeZuba when read in combination with Lewis and McDonald suggests the inclusion of at least this one element not taught in any of the three references individually.

Since none of the references individual or in combination teach at least this element of Claims 8 and 9, withdrawal of the rejection of Claims 8 and 9 is respectfully requested.

B. Claim 22

Claim 22 recites “a belt comprising: two compositionally distinct opposing faces.” The analysis applied to Claim 1 above with respect to this rejection is also applicable to this element of Claim 22. Accordingly, withdrawal of the rejection of Claim 22 is respectfully requested for reasons similar to those discussed above for Claim 1.

C. Claim 23

Claim 23 recites “an exposed elastomer disposed over the perfluoropolymer material on one side of the reinforcement.” As discussed above with respect to Claim 1, neither Lewis nor McDonald teaches or suggests an exposed elastomer disposed over the perfluoropolymer material on one side of the reinforcement. Rather, as discussed above, the references teach that silicon(e) rubber is an alternative to PTFE. See Lewis at Col. 3, line 67 to Col. 4, line 4; and McDonald at Col. 7, lines 3-4. For the reasons discussed above with respect to this element, withdrawal of the rejection of Claim 23 is respectfully requested.

D. Claim 24

Claim 24 recites “an elastomer disposed over the perfluoropolymer material on one side of the reinforcement.” The analysis applied to Claim 23 above with respect to this rejection is also applicable to this element of Claim 24. Accordingly, withdrawal of the rejection of Claim 23 is respectfully requested for reasons similar to those discussed above.

Withdrawn Claims

It is respectfully requested that Claims 10-19 be reinstated since Claim 1 is in condition for allowance.

Claim 21 recites elements similar to Claim 1. Even if the examiner continues to maintain the withdrawn status of Claim 21, it is respectfully requested that Claim 21 be reinstated since Claim 1 is in condition for allowance.

Claim 25 recites similar elements to Claim 22. It is respectfully requested that Claim 25 be reinstated since Claim 22 is in condition for allowance.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

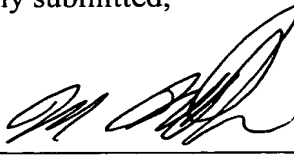
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to

Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date Oct. 21, 2004

By 

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